REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks.

Claims 1-13 and 16-40 are pending in the application, with claims 1, 9, 19, 27 and 35 being independent. Claims 1-3, 5, 7, 9-12, 19-22, 24-25, 27 and 33-35 are currently amended with support found in the original disclosure. Specifically, amendments to claims 2-3, 5, 10-12, 20-22, 24-25 and 33-34 are editorial in nature and are not responsive to a standing objection or rejection. No new matter has been added. Favorable consideration is respectfully requested.

Cited References

The following references have been applied to reject one or more claims of the Application:

Combs: Combs et al., U.S. Patent No. 6,766,348

Hadi: Hadi, U.S. Publication No. 2004/0148363

§103(a) Rejection

Claims 1-13 and 16-40 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Combs in view of Hadi. Applicant respectfully traverses the rejection and further requests that the rejection be reconsidered and withdrawn.

Specifically, for the sole purpose of expediting prosecution of the present application to allowance and without conceding the propriety of the Office's standing rejections, independent claims 1, 9, 19, 27 and 35 have been amended to recite, in pertinent part, as follows (with emphasis added):

1. .... a computing system having **a decentralized operating system unifying and orchestrating one or more services and resources represented as services executing on the computing system**, the decentralized operating system comprising a process kernel and a distributing kernel...

9. ....wherein further at least one at least one of the resources from the second set of resources being represented as services from the second set of services **is unified to and orchestrated by the first process kernel of the first decentralized operating system**...

19. ...a **decentralized operating system unifying and orchestrating services and resources**....

27. ...initializing a decentralized operating system on one or more computing systems, **the decentralized operating system unifying and orchestrating services and resources represented as services executing on the one or more computing systems**...

35. ...initializing a decentralized operating system on one or more computing systems, **the decentralized operating system unifying and orchestrating services and resources represented as services executing on the one or more computing systems**...

The instant application generally relates to decentralized operating systems. However, Combs describes techniques for load-balanced data exchange in network-based resource allocation (Combs, Abstract); Combs fails to teach or suggest, at least, **a decentralized operating system unifying and orchestrating one or more services and resources (claims 1, 19, 27 and 35)** or **the second set of services is unified to and orchestrated by the first process kernel of the first decentralized operating system (claim 9).**

Rather, Applicant respectfully submits that Combs is silent with respect to the foregoing. Indeed, the Office's cited portion to Combs purportedly teaching the aforementioned features merely describes a resource allocator system 501 (Combs, col. 5, line 64 – col. 6, line 37). The resource allocator system of Fig. 5 comprises a number of resource

allocator system agents ("RASAs") 502-504. RASAs run on any number of computers connected to the network, and multiple RASAs may run on the same computer (Combs, col. 4, lines 1-15). The RASAs communicate with each other using the resource allocator system protocol ("RASPs") 505-507 (Combs, col. 4, lines 35-38). The RASP provides an additional interface within the resource allocator system that allows each RASA to synchronize its database and its allocation and management activities with those of the other RASAs within the resource allocator handling system ("RAHS") (Combs, col. 5, line 64 – col. 6 line 6).

In other words, Combs does not teach or suggest a decentralized operating system, much less a decentralized operating system unifying and orchestrating one or more services and resources represented as services executing on the computing system and incorporating a process kernel and a distributing kernel. The operating system discussed in Combs is restricted to the following:

> The operating system 702 is a collection of programs that provide services to application programs through the operating system call interface. The operating system call interface provides to an application program functions that the application program can invoke to read and write data to and from the hard disk, transmit data over physical data transmission networks to remote computers, print files on a printer, and other such tasks. In addition, the operating system provides and maintains a 15 program execution environment on a computer that allows for application programs and other intermediate processes to execute in a coordinated fashion. (Combs, col. 7, lines 7-18).

As such, there is no teaching or suggestion in Combs that the operating system is a decentralized operating system as featured in claims 1, 9, 19, 27 and 35.

It is further submitted that Hadi does not compensate for the aforementioned deficiency of Combs, relative to claims 1, 9, 19, 27 and 35, nor does the standing rejection advance any argument to that effect.

Therefore, it is respectfully submitted that Combs and Hadi, alone or in combination, fail to teach or suggest the limitations of claims 1, 9, 19, 27 and 35. As such, Applicant respectfully submits that claims 1, 9, 19, 27 and 35are patentable over Combs and Hadi.

Furthermore, the remainder of the presently rejected claims depend from one of the aforementioned of independent claims and therefore are also patentable over the proposed combination of references by virtue of, at least, their respective dependencies. Applicant also respectfully requests individual consideration for each dependent claim.

Conclusion

For at least the foregoing reasons, it is respectfully submitted that claims 1-13 and 16-40 are in condition for allowance and a Notice to that effect is earnestly solicited. However, if there are any remaining matters that may be handled by a telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

Respectfully Submitted,

Lee & Hayes, PLLC

Dated: December 1, 2009   By: /Don H. Min 55,933/
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